IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.872 of 2007
MITHILESH KUMAR MANDAL
Versus
STATE OF BIHAR & ANR
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5 16.9.2008 This application has been preferred against the order dated 19.3.2007 passed by the Principal Judge, Family Court, Katihar in Maintenance Case No.94 of 2005 thereby the petitioner has been directed to pay maintenance at the rate of Rs.2000/-per month to Opposite Party no.2 and Rs.500/- per month to each of her two minor children.

This application has been heard only on the point of quantum of maintenance.

Submission of learned counsel for the petitioner is that annexure-2 would go to show that the petitioner is a member of Below Poverty Line. He has no income to pay such a huge maintenance amount. He is running a small shop of spare parts in country side.

On the other hand, learned counsel for opposite party no.2 submitted that the maintenance granted by the court below is not sufficient to meet the needs of opposite party no.2 and her two minor children.

Considered the submission of learned counsel for the parties. Perused the impugned order as well as annexure-2, the list of Below Poverty Line. On perusal of annexure-2 it appears that the name of the petitioner finds place in the list of BPL.

Having regard to the facts and circumstances, the maintenance amount granted by the court below is hereby modified

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and the petitioner is directed to pay maintenance to opposite party no.2 at the rate of Rs.1000/-per month instead of Rs.2000/- per month and Rs.500/- per month each to her two minor children. With this modification in the maintenance amount the revision application is rejected.

B.Jha **(Ghanshyam Prasad)**

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